Form (5-A)

Republic of the Union of Myanmar
Sr, No.........................
Date.........................
Myanmar Investment Commission

MIC

THE REPUBLIC OF THE UNION OF MYANMAR

Myanmar Investment Commission

ENDORSEMENT

Endorsement No. 013/2017 Date 24 31 July, 2017

This endorsement is issued by the Myanmar Investment Commission according to the section 25, sub-section (d) of the Myanmar Investment Law-

(1) Name of Investor U TIN TUN OO

(2) Citizenship MYANMAR

(3) Residence Address NO.53, GROUND FLOOR, LOWER BLOCK, LANMADAW STREET, LANMADAW TOWNSHIP, YANGON

(4) Name and Address of Principle Organization YOMA AGRICULTURE COMPANY LIMITED, FMI CENTRE, LEVEL 10&11, No.380, BOGYOKE AUNG SAN ROAD, PABEDAN TOWNSHIP, YANGON

(5) Place of Incorporation MYANMAR

(6) Type of business CULTIVATION, MANUFACTURING AND CANNING OF GROWN FRUIT AND VEGETABLE PRODUCTS

(7) Place(s) of investment Project HOLDING NO.4, KWIN NO.(11-GA), NAUNG BOKE VILLAGE (NORTH-WEST), NAMT HSEE VILLAGE TRACT, TAUNG GYI TOWNSHIP, SHAN STATE

(8) Amount of Foreign Capital US$ 4.159 MILLION

(9) Period for Foreign Capital to be brought in WITHIN FOUR YEARS FROM THE DATE OF ISSUANCE OF ENDORSEMENT

(10) Total Amount of Capital (Kyat) EQUIVALENT IN KYAT OF US$ 10.398 MILLION (INCLUDING US$ 4.159 MILLION)

(11) Construction Period 24 MONTHS

(12) Validity of Endorsement 50 YEARS

(13) Form of Investment JOINT VENTURE

(14) Name of Company Incorporated in Myanmar MYFOOD INDUSTRIES MYANMAR COMPANY LIMITED

24.7.17

Chairman
The Myanmar Investment Commission

ပုံစံ (၅-က)

ပြည်ထောင်စုသမ္မတမြန်မာနိုင်ငံတော်
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်
အတည်ပြုမိန့်

အတည်ပြုမိန့်အမှတ် ၁၁၃/၂၀၁၇ ၂၀၁၇ ခုနှစ် ဇူလိုင်လ ၂၄ ရက်

မြန်မာနိုင်ငံ ရင်းနှီးမြှုပ်နှံမှု ကော်မရှင်သည် မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုဥပဒေပုဒ်မ-၂၅၊ ပုဒ်မခွဲ (ဃ) အရ ဤအတည်ပြုမိန့်ကိုထုတ်ပေးလိုက်သည် -

(၁) ရင်းနှီးမြှုပ်နှံသူအမည် ဦးတင်ထွန်းဦး

(၂) နိုင်ငံသား မြန်မာ

(၃) နေရပ်လိပ်စာ အမှတ်-၅၃၊ မြေညီထပ်၊ လမ်းမတော်လမ်း(အောက်)၊ လမ်းမတော်မြို့နယ်၊ ရန်ကုန်မြို့

(၄) ပင်မအဖွဲ့အစည်းအမည်နှင့် လိပ်စာ ရှီးမစိုက်ပျိုးရေး ကုမ္ပဏီလီမိတက်၊ FMI စင်တာ၊ ၁၀နှင့်၁၁လွှာ၊ အမှတ်-၃၈၀၊ ဗိုလ်ချုပ်အောင်ဆန်းလမ်း၊ ပန်းပဲတန်းမြို့နယ်၊ ရန်ကုန်မြို့

(၅) ဖွဲ့စည်းရာအရပ် မြန်မာ

(၆) ရင်းနှီးမြှုပ်နှံသည့်လုပ်ငန်းအမျိုးအစား သစ်သီးများနှင့် ဟင်းသီးဟင်းရွက်များ စိုက်ပျိုး ထုတ်လုပ်ခြင်းနှင့် စည်သွပ်ထုတ်လုပ်ခြင်း လုပ်ငန်း

(၇) ရင်းနှီးမြှုပ်နှံသည့်အရပ်ဒေသ(များ) ဦးပိုင်အမှတ်-၄၊ ကွင်းအမှတ်-(၁၁-ဂ)၊ နောင်ဗုတ်ရွာအနောက်မြောက်၊ နမ့်ဆီးကျေးရွာအုပ်စု၊ တောင်ကြီးမြို့နယ်၊ ရှမ်းပြည်နယ်

(၈) နိုင်ငံခြားမတည်ငွေရင်း ပမာဏ အမေရိကန်ဒေါ်လာ ၄.၁၅၉ သန်း

(၉) နိုင်ငံခြားမတည်ငွေရင်းယူဆောင်လာရမည့်ကာလ အတည်ပြုမိန့်ရရှိသည့် နေ့မှ ၄ နှစ် အတွင်း

(၁၀) စုစုပေါင်း မတည်ငွေရင်းပမာဏ(ကျပ်) အမေရိကန်ဒေါ်လာ ၁၀.၃၉၈ သန်း နှင့် ညီမျှသော မြန်မာကျပ်ငွေ (အမေရိကန်ဒေါ်လာ ၄.၁၅၉ သန်းအပါအဝင်)

(၁၁) တည်ဆောက်မှု/ပြင်ဆင်မှုကာလ ၂၄ လ

(၁၂) အတည်ပြုမိန့်သက်တမ်း ၅၀ နှစ်

(၁၃) ရင်းနှီးမြှုပ်နှံမှုပုံစံ ဖက်စပ်နိုင်ငံခြားရင်းနှီးမြှုပ်နှံမှု

(၁၄) မြန်မာနိုင်ငံတွင် ဖွဲ့စည်းမည့် ကုမ္ပဏီအမည် MYFOOD INDUSTRIES MYANMAR COMPANY LIMITED

24.7.17

ဥက္ကဋ္ဌ
မြန်မာနိုင်ငံရင်းနှီးမြှုပ်နှံမှုကော်မရှင်

THE REPUBLIC OF THE UNION OF MYANMAR
MYANMAR INVESTMENT COMMISSION
No.1, Thitsar Road, Yankin Township, Yangon

Tel: 01- 658128
Fax: 01-658141

Our ref:MIC-2/E-004/2017(559-8)
Date : 24 July 2017

Subject: **Decision of the Myanmar Investment Commission on the Endorsement for cultivation, manufacturing and canning of grown fruit and vegetable products under the name of Myfood Industries Myanmar Company Limited**

Reference: Myfood Industries Myanmar Company Limited Letter dated (16-6-2017)

1. The Myanmar Investment Commission, at its meeting (10/2017) held on 11 July 2017 approved the Endorsement for investment in cultivation, manufacturing and canning of grown fruit and vegetable products under the name of Myfood Industries Myanmar Company Limited submitted by Huepeden & Co. (GmbH & Co.) KG (40%) from Germany and Yoma Agriculture Company Limited (60%) from the Republic of the Union of Myanmar as a joint venture investment in accordance with the Myanmar Investment Law and Rules.

2. The terms and conditions of the Endorsement are stated in the following paragraphs:

(a) The term of the Endorsed project shall be initial fifty(50) years commencing from the date of the issuance of the Endorsement by the Myanmar Investment Commission and extendable for ten (10) years in two times.

(b) The term of the Lease Agreement for land shall be fifty(50) years commencing from the date of signing of the Lease Agreement between Yoma Agriculture Company Limited (Lessor) and Myfood Industries Myanmar Company Limited (Lessee) and extendable for ten (10) years in two times respectively by mutual agreement between the Lessor and the Lessee subject to the approval of the Myanmar Investment Commission.

and the Lessee subject to the approval of the Myanmar Investment Commission.

(c) The annual rent for the land shall be US$ 10,500 (United States Dollar ten thousand and five hundred only) calculated at the rate of US$ 0.0258 per square meter for 50(fifty) years of the total land measuring 100 acres (404,686 square metres).

(d) Myfood Industries Myanmar Company Limited, which has obtained this Endorsement, for enjoyment of exemptions and reliefs under sections 75, 77 and 78 of the Chapter XVIII of Myanmar Investment Law, may submit the application form.

(e) Myfood Industries Myanmar Company Limited shall use its best efforts to achieve a timely realization of the work stated in the Endorsement application.

(f) Myfood Industries Myanmar Company Limited shall obey and respect the responsibilities of investors under section 65 of Myanmar Investment Law and Chapter XX of Myanmar Investment Rules.

(g) Myfood Industries Myanmar Company Limited shall carry out prevention, mitigation and monitoring of significant environmental impacts according to the type of investment activities in accordance with the relevant laws, rules, regulations and procedures.

(h) Myfood Industries Myanmar Company Limited shall submit to the Commission any transfer of shares or transfer of the business to any person during the investment period in accordance with section 72 of Myanmar Investment Law and rule 191 of Myanmar Investment Rules.

(i) Myfood Industries Myanmar Company Limited which has benefitted from the Endorsement or exemptions and reliefs shall submit an annual report in the prescribed form to the Commission within three(3) months of the end of the financial year in accordance with

rule 196 of Myanmar Investment Rules and shall publish a summary of the report on its website or the Commission's website.

(j) Myfood Industries Myanmar Company Limited must, during the operation period under the endorsement of the Commission, submit its operating report quarterly in the prescribed form in accordance with rule 197 Myanmar Investment Rules.

3. Myfood Industries Myanmar Company Limited shall submit five(5) copies of all approvals, licences, permits and similar authorizations relevant to the initial implementation of the investment and the Land Lease Agreement to the Commission.

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(Kyaw Win)
Chairman

Myfood Industries Myanmar Company Limited

cc:
1. Office of the Union Government of the Republic of the Union of Myanmar
2. Ministry of Home Affairs
3. Ministry of Agriculture, Livestock and Irrigation
4. Ministry of Natural Resources and Environmental Conservation
5. Ministry of Labour, Immigration and Population
6. Ministry of Industry
7. Ministry of Commerce
8. Ministry of Planning and Finance
9. Office of the Shan State Government
10. Director General, Department of Agriculture
11. Director General, Environmental Conservation Department
12. Director General, Directorate of Labour
13. Director General, Department of Immigration
14. Director General, Directorate of Industrial Supervision and Inspection

and the Lessee subject to the approval of the Myanmar Investment Commission.

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14. Director General, Directorate of Industrial Supervision and Inspection

15. Director General, Directorate of Trade
16. Director General, Internal Revenue Department
17. Director General, Customs Department
18. Director General, Directorate of Investment and Company Administration
19. Director General, National Archives Department